

# ENFORCEMENT REPORT TO THE COMMISSION FOR JULY 1995

September 8, 1995

DOCKET NO. 95-1372-RPT

PROGRAMS	FORMAL ACTIONS INITIATED BY EDR/PETITION, DRAFT ORDER FOR EXPEDITED CASES, OR NOTICE LETTER OF FORMAL ADMIN. PENALTY ACTION		AGREED ORDERS ADOPTED BY THE COMMISSION (MULTI-MEDIA CASES ARE REPORTED BY THE LEAD DIVISION)		FISCAL YEAR 1995 YEAR-TO-DATE TOTAL ADMINISTRATIVE PENALTIES ASSESSED, DEFERRED, TOTAL PENALTY DUE GENERAL REVENUE OR DEDICATED FUNDS, AND DOLLAR AMOUNT WHICH WILL BE SPENT ON SUPPLEMENTAL ENVIRONMENTAL PROJECTS (SEPs) IN ORDERS ISSUED BY THE TNRC (MULTI-MEDIA CASES ARE REPORTED BY THE LEAD DIVISION)			
	Month	FY	Month	FY	ASSESSED	DEFERRED	TOTAL PENALTY DUE GENERAL REVENUE OR DEDICATED FUNDS <sup>1</sup>	SEPs
AGRICULTURE	0	8	0	8	\$52,826.00	\$18,500.00	\$34,326.00	\$0.00
AIR	8	122	55	295	\$2,295,355.00	\$30,720.00	\$2,141,755.00	\$122,880.00
INDUSTRIAL AND HAZARDOUS WASTE	9	50	8	57	\$3,567,333.00	\$2,072,099.00	\$1,495,234.00	\$402,000.00
MUNICIPAL SOLID WASTE	3	25	0	17	\$338,624.00	\$177,380.00	\$156,644.00	\$9,200.00
OCCUPATIONAL CERTIFICATION	5	37	15	83	\$55,500.00	\$5,250.00	\$50,250.00	\$0.00
PETROLEUM STORAGE TANKS	48	135	3	127	\$275,483.73	\$4,100.00	\$271,383.73	\$0.00
WATERSHED MANAGEMENT	1	90	13	121	\$1,094,729.00	\$281,529.00	\$813,200.00	\$12,000.00
WATER UTILITIES	5	64	6	30	\$29,890.00	\$0.00	\$29,890.00	\$0.00
TOTALS	79	531	100	738	\$7,709,740.73	\$2,589,578.00	\$4,992,682.73	\$546,080.00

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<sup>1</sup> All penalties collected are paid into the State's General Revenue Fund with the exception of water well driller orders which are paid into the Water Well Driller's Fund.

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PROGRAMS	NOTICES OF VIOLATION (NOVS) ISSUED BY CENTRAL OFFICE		NOVS ISSUED BY FIELD OPERATIONS		CASES RESOLVED INFORMALLY - COMPLIANCE ACHIEVED THRU CENTRAL OFFICE ACTION WITHOUT ISSUANCE OF AN AGENCY ORDER		CASES BEING DEVELOPED IN ENFORCEMENT PROGRAMS <sup>2</sup>	CASES BEING TRACKED FOR COMPLIANCE <sup>3</sup>
	Month	FY	Month	FY	Month	FY	Total	Total
AGRICULTURE	0	344	0	11	0	1	5	23
AIR	N/A <sup>4</sup>	N/A	249	2046	14	59	291	1066
INDUSTRIAL AND HAZARDOUS WASTE	10	94	26	246	4	57	439	351
MUNICIPAL SOLID WASTE	4	67	66	695	4	30	33	170
OCCUPATIONAL CERTIFICATION	1	74	N/A	N/A	3	32	28	17
PETROLEUM STORAGE TANKS	53	342	91	774	48	68	330	117
WATERSHED MANAGEMENT	2	66	68	689	4	148	238	268

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<sup>2</sup> Cases which the enforcement programs in Central Office are working on in which agency action has not been filed yet. Agency action includes, orders issued, NOVs for those cases in which a formal action is not being pursued, corrective action directives, bilateral compliance agreements, or any other action which directs a facility to take action to achieve compliance within a specified period of time.

<sup>3</sup> Includes all cases which the enforcement programs are tracking for compliance once an agency action (as defined in footnote 2) is finalized.

<sup>4</sup> N/A = Not Applicable.

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<b>WATER UTILITIES</b>	179	4390	277	2136	18	116	262	161
<b>TOTALS</b>	249	5377	777	6597	95	511	1626	2173

PROGRAMS	PENDING FORMAL ENFORCEMENT ACTIONS FOR ADMINISTRATIVE ORDERS TO BE ISSUED BY THE TNRCC		CASES PENDING AT THE OFFICE OF THE ATTORNEY GENERAL <sup>5</sup>	ATTORNEY GENERAL CASES RESULTING IN JUDGMENTS <sup>6</sup>		CASES REFERRED FROM THE REGIONAL OFFICES OR CENTRAL OFFICE FOR ENFORCEMENT ACTION BY CENTRAL OFFICE STAFF	
	Total	Backlog	Total	Month	FY	Month	FY
AGRICULTURE	5	0	2	0	0	0	7
AIR	291	115	47	0	2	16	186
INDUSTRIAL AND HAZARDOUS WASTE	101	49	70	0	6	10	156
MUNICIPAL SOLID WASTE	48	11	47	0	4	9	65
OCCUPATIONAL CERTIFICATION	4	0	47	0	1	3	8
PETROLEUM STORAGE TANKS	552	134	6	0	0	41	440
WATERSHED MANAGEMENT	51	9	19	0	2	8	203
WATER UTILITIES	112	27	110	0	14	56	407

<sup>5</sup> AG actions typically take from 6 months to 5 years from the date of referral to final judgment.

<sup>6</sup> These numbers are obtained from the Attorney General's Office

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TOTALS	1164	345	348	0	29	143	1472
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